

867

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 50. Pp. 569-588.

OPINION 180

On the status of the names *Sphex* Linnaeus,
1758, and *Ammophila* Kirby, 1798 (Class
Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings and six pence

(All rights reserved)

INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION

The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Vice-President : Dr. James L. Peters (U.S.A.).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

The Members of the Commission

Class 1946

Herr Professor Dr. Walter ARNDT (Germany).

Dr. William Thomas CALMAN (United Kingdom).

Professor Teiso ESAKI (Japan).

Professor Béla von HANKÓ (Hungary).

Dr Tadeusz JACZEWSKI (Poland).

Dr. Norman R. STOLL (U.S.A.).

Class 1949

Senor Dr. Angel CABRERA (Argentina).

Mr. Francis HEMMING (United Kingdom) (*Secretary to the Commission*).

Dr. Karl JORDAN (United Kingdom) (*President of the Commission*).

Dr. Joseph PEARSON (Australia).

Dr. Th. MORTENSEN (Denmark).

Herr Professor Dr. Rudolf RICHTER (Germany).

Class 1952

Senhor Dr. Afranio do AMARAL (Brazil).

Professor James Chester BRADLEY (U.S.A.).

Professor Ludovico di CAPORACCO (Italy).

Professor J. R. DYMOND (Canada).

Dr. James L. PETERS (U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (U.S.A.).

Secretariat of the Commission :

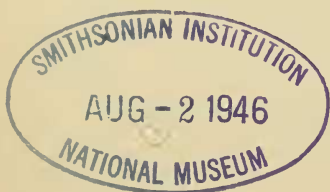
British Museum (Natural History), Cromwell Road, London, S.W. 7.

Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.



197,
OPINION 180.

ON THE STATUS OF THE NAMES *SPHEX* LINNAEUS, 1758, AND *AMMOPHILA* KIRBY, 1798 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under the rules the type of *Sphex* Linnaeus, 1758 (Class Insecta, Order Hymenoptera) is *Sphex sabulosa* Linnaeus, 1758, as stated in *Opinion* 32 rendered by the International Commission on Zoological Nomenclature prior to the grant to them by the International Congress of Zoology at Monaco in 1913 of plenary power to suspend the rules as applied to any given case where, in their judgment, the strict application of the rules would clearly result in greater confusion than uniformity. In the judgment of the Commission, *Sphex* Linnaeus, 1758, is such a case. Accordingly, under suspension of the rules (i) all type designations for *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798, made prior to the date of this *Opinion* are hereby set aside ; (ii) *Sphex flavipennis* Fabricius, 1793, is hereby designated as the type of *Sphex* Linnaeus, 1758 ; and (iii) *Sphex sabulosa* Linnaeus, 1758, is hereby designated as the type of *Ammophila* Kirby, 1798. The names *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798 (Class Insecta, Order Hymenoptera), with the types indicated above, are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 617 and 618.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera (Class Insecta) in all countries, the following petition signed by Professor Chester Bradley and 59 other Hymenopterists was submitted to the International Commission :—

THE CASES OF *SPHEX* AND *AMMOPHILA*

The genus *Sphex* Linnaeus, 1758, has for its type *S. sabulosa* L. by designation of Fernald (*Entomological News* 1905, v. 15 p. 163 and see further *Opinion* 32). But it has long and universally been used in a sense as though *Sphex maxillosus* of Fabricius were type (as it was incorrectly stated to be by Kohl, 1890) and in that sense was used as type of the subfamily SPHECINAE by Ashmead in 1899. Since Fernald's designation of *sabulosa* as type American authors have generally used *Sphex* to replace what has always been called *Ammophila*, a genus which on account of

*

biologically interesting habits has been extensively mentioned in general literature, and have correspondingly used CHLORIONINAE instead of SPHECINAE, together with SPHECINAE in lieu of AMMOPHILINAE. European authors have not generally made this change.

The genus *Ammophila* Kirby, 1798, has also for its type *Sphex sabulosa* of Linnaeus, cited by Kirby as a synonym of his first included species *vulgaris*, and designated by Latreille, 1810, as a type. *Ammophila*, therefore, under the Code, although in universal use for more than a century is a pure synonym of *Sphex*, which has been the universally accepted name of a large related genus.

Therefore, according to the Code :

Sphex of authors becomes *Ammobia* Billberg ranked as a subgenus of *Chlorion* Latr. ;

Subfamily SPHECINAE of authors becomes CHLORIONINAE ;

Subfamily AMMOPHILINAE of authors becomes SPHECINAE *nec* auctt.

In order to conserve these names in their long accepted sense the undersigned respectfully petition the International Commission on Zoological Nomenclature to take the following action, to wit :

- (1) to suspend the rules in the case of the generic names *Sphex* and *Ammophila* ;
- (2) to set aside the designation by Fernald of *sabulosa* L. as the type of *Sphex* ;
- (3) to validate :—

- (a) *Sphex* Linnaeus, 1758, with *S. flavipennis* Fabr. as type ;

None of the originally contained species definitely recognizable at present, belong to *Sphex* in the sense of authors. *S. flavipennis*, although not an original species, was designated (invalidly according to the Code) as type of *Sphex* by Latreille, 1810.

- (b) *Ammophila* Kirby, 1798, type *Sphex sabulosa* Fabr., by designation of Latreille, 1810 ;

- (4) to place on the *Official List of Generic Names* :

Sphex Linnaeus, 1758, type *Sphex flavipennis* Fabr. as the correct name for a genus of digger-wasps with one-segmented petiole ;

Ammophila Kirby, 1798, type *Sphex sabulosa* Fabr. as the correct name for a genus of digger-wasps with two-segmented petiole.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues
Jos. Bequaert
G. Grandi
A. B. Gahan *
T. H. Frison *
A. R. Park *
H. H. Ross *
J. M. Dusmet
W. M. Wheeler *
G. T. Lyle
R. A. Cushman *
E. A. Elliott
A. Crevecoeur
W. M. Mann
R. Friese

R. Benoist *
J. D. Alfken *
A. Krausse
M. Wolff
J. G. Betrem
R. Fouts
G. Arnold
A. Handlirsch
I. Micha
H. Hacker
A. C. Kinsey *
H. de W. Marriott
F. Maidl
P. Roth
E. Enslin

H. Haupt
H. Brauns †
L. Berland
A. A. Oglobin
O. W. Richards
P. P. Babiý
V. S. L. Pate
J. C. Bradley
G. Enderlein
T. Uchida †
O. Vogt †
H. Habermehl †
E. Kruger †
W. Hellen †
F. X. Williams †

H. von Ihering ‡
 A. C. W. Wagner
 H. Hedicke
 H. Bischoff
 L. Masi

A. von Schulthess
 R. B. Benson *
 H. F. Schwarz
 W. V. Balduf *
 D. S. Wilkinson *

O. Schmiedeknecht †
 N. N. Kuznezov-
 Ugamsky †
 F. E. Lutz
 L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

3. The following notes were attached to the foregoing petition:—

(a) *Extract from a letter from Dr. S. A. Rohwer to Professor James Chester Bradley*

I cannot sign this and I hope that you will not feel called upon to circulate it, as it is asking the Commission to reverse its opinion.¹ Such a petition would imply lack of confidence, and would be in my opinion a step backward. Should the Commission reverse its opinion, the principle for which it was founded—namely, stability of nomenclature, would be seriously jeopardized.

(b) *Note by Professor James Chester Bradley*

Opinion 32, to which Mr. Rohwer has reference, determined the type of the genus *Sphex* on the basis of the premises submitted. The question of setting aside the rules and conserving *Sphex* in the customary sense was not considered, in fact the Commission at that time would have had no power to do so. To now ask the Commission to set aside the rules concerning *Sphex* is not requesting a reversal of its decision. Now that the type of *Sphex* under the rules is established, there is point in the further step of asking the Commission to suspend the rules in the case, an act which would be futile before it was clear what the type under the rules actually is. (J.C.B.)

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. This case was circulated to the members of the International Commission on Zoological Nomenclature in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

5. This case was considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935, during the Sixth International Congress of Entomology. The International Committee on Entomological Nomenclature first examined the only objection

¹ On this point, see the "summary" and paragraphs 5 and 9(i) of the present *Opinion*.

that had been lodged against the action proposed, namely that that action would involve asking the International Commission on Zoological Nomenclature to reverse the decision embodied in *Opinion 32* where they had declared that "On the basis of the premises submitted, *sabulosa* is the type of *Sphex* Linnaeus, 1758." The International Committee, after examining the application in detail, took note that far from constituting a request that the International Commission on Zoological Nomenclature should reverse their previous decision, the application accepted that decision as the starting point of the case and, on the basis of that decision, asked the International Commission to take a decision on an entirely different question and one which had never previously been submitted to the Commission for decision. When the International Commission rendered *Opinion 32*, which was published in July 1911, they were acting in virtue of the power to render *Opinions* on the interpretation of the International Code that had been conferred upon them by the Seventh International Congress of Zoology at its meeting held at Boston in 1907. At the time of the rendering (and publication) of *Opinion 32*, the International Commission possessed no power to suspend the rules and it was not until 1913 that at Monaco plenary power to suspend the rules in certain cases was conferred upon them by the Ninth International Congress of Zoology. The present application was an application that the International Commission should use those powers in the case of the names *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798, in order to secure that the correct use of those names should be the use in universal currency prior to the designation by Fernald (1905) of *Sphex sabulosa* Linnaeus, 1758, as the type of *Sphex* Linnaeus, 1758. No similar application had ever been submitted to the International Commission in the case of these names. Clearly, therefore, no decision which the International Commission might take on this application could possibly reverse any decision previously given. The International Committee on Entomological Nomenclature agreed therefore that the objection that the present application involved a request for the reversal of *Opinion 32* was misconceived and without any valid force.

6. Having reached this conclusion, the International Committee on Entomological Nomenclature turned to consider the only two questions which, in their judgment, arose on the present application: (a) Would the strict application of the rules in the case of the names *Sphex* Linnaeus and *Ammophila* Kirby result in greater

confusion than uniformity? (b) If so, what action should the International Committee on Entomological Nomenclature recommend the International Commission on Zoological Nomenclature to take under their plenary powers to remedy this situation? As regards the first of these questions, the International Committee agreed that the transfer of *Sphex* Linnaeus to be the name of the genus for so long called *Ammophila* Kirby, with the consequent change in the meaning to be attached to the subfamily name SPHECINAE, would clearly result in greater confusion than uniformity. The International Committee agreed therefore that it was desirable that in this case the International Commission on Zoological Nomenclature should make use of their plenary powers to suspend the rules. On the second of the questions before them, the International Committee on Entomological Nomenclature agreed that, if the International Commission on Zoological Nomenclature was prepared in principle to use their plenary powers in this case, the most satisfactory course would be for them to set aside all existing type designations for *Sphex* Linnaeus, 1758, and to designate as the type of that genus some well-known species which indisputably belonged to the genus *Sphex* in the pre-1905 sense. The International Committee on Entomological Nomenclature agreed that, as none of the original Linnean species satisfied this condition, the International Commission on Zoological Nomenclature should be invited to designate as the type of this genus some species that had not been included in the genus by Linnaeus.² The International Committee agreed further that *Sphex flavipennis* Fabricius, 1793, satisfied the necessary conditions. The selection of that species as the type of *Sphex* Linnaeus, 1758, would have the further advantage that it would in effect confirm the designation of that species as the type of this genus made (erroneously at that time) by Latreille as far back as 1810.³

7. The above and other recommendations adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

² Earlier at the same Session the International Committee on Entomological Nomenclature had reached a similar conclusion in regard to a genus (*Satyris* Latreille, 1810) in a different Order (Order Lepidoptera). See paragraph 9(iii) below.

³ Latreille in 1810 (*Consid. gén. Anim. Crust. Arach. Ins.* : 438) cited "*Pepsis flavipennis*, Fab." as the type of *Sphex* Linnaeus. For the interpretation of this work of Latreille, see *Opinion* 136 (pp. 13-20 in Section A of the present volume).

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

8. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1796, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

9. This case was considered by the International Commission on Zoological Nomenclature at their meeting held on the afternoon of Monday, 16th September 1935. At this meeting, the Commission carefully examined both the petition submitted in this case (including the note of dissent by Dr. S. A. Rohwer) and the recommendations in regard thereto submitted by the International Committee on Entomological Nomenclature. In the course of the ensuing discussion attention was drawn to the following considerations:—

- (i) the International Committee on Entomological Nomenclature were perfectly correct in concluding that no de-

cision that might be taken by the International Commission on Zoological Nomenclature on the present application could reverse the decision embodied in the Commission's *Opinion* 32, since the question dealt with in the present application was entirely distinct from that dealt with in that *Opinion*;

- (ii) if the literature, biological as well as taxonomic, of the name *Sphex* Linnaeus, 1758, was looked at as a whole—as should be done, in judging an application of this kind—there was no doubt that greater confusion than uniformity would result from the strict application of the rules in this case;
- (iii) if the plenary powers were to be used to designate as the type of *Sphex* Linnaeus, 1758, some species other than the species which under the rules is its type (*Sphex sabulosus* Linnaeus, 1758), it was essential that the species so selected should be a well-known species that indisputably belonged to the genus *Sphex* Linnaeus in the commonly accepted meaning of that name (*i.e.* in the sense universally understood prior to 1905); if none of the originally included Linnean species satisfied this condition, the most satisfactory course would be to designate as the type of this genus some species which did satisfy those requirements even if for that purpose it was necessary to designate as the type of this genus some species not included in the genus by Linnaeus in 1758; it was pointed out that this would not be the first occasion on which the Commission, acting under their plenary powers, would have designated as the type of a genus a species which had not been included in that genus at the time of its first publication, for at the present (Lisbon) Session (2nd Meeting, Conclusion 22(c)) the Commission had taken such a decision in the case of the genus *Satyrus* Latreille, 1810 (Order Lepidoptera).⁴

10. At the conclusion of the foregoing discussion, the International Commission agreed (Lisbon Session, 3rd Meeting, Conclusion 2)⁵ :—

⁴ The text of the decision in this case is given in full in 1943, *Bull. zool. Nomencl.* 1: 20–23. The *Opinion* later rendered to give effect to this decision is *Opinion* 142, for which see pp. 67–80 in Section A of the present volume.

⁵ Only those portions of Conclusion 2 which refer to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1: 27–30.

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below:—

Name of genus	Type of genus
(33) <i>Sphex</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1: 569	<i>Sphex flavipennis</i> Fabricius, 1793, <i>Ent. syst.</i> 2: 201
(34) <i>Ammophila</i> Kirby, 1798, <i>Trans. linn. Soc. Lond.</i> 4: 199	<i>Sphex sabulosa</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1: 569

- (d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;
- (e) to render *Opinions* in the sense of (a) to (d) above.

II. The foregoing decisions were embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. In order to make perfectly clear to all the members of the Congress that (as explained in paragraph 9(i) above) the decision taken in the present case did not involve a reversal of the decision embodied in the Commission's *Opinion* 32, the Commission inserted the following "note" at the end of paragraph 27 of their report to the Congress:—

Note. With reference to the names *Sphex* Linn., and *Ammophila* Kirby referred to in paragraph (d) (15) and (16) above,⁶ it should be noted that the Commission have on a previous occasion (in *Opinion* 32) declared that the type of *Sphex* Linn. is *Sphex sabulosa* Linn. The Commission remain of the opinion that that species is the type of *Sphex* Linn. under the rules, but in view of the fact that the strict application of the rules in this case would cause greater confusion than uniformity, they have now agreed to suspend the rules in the manner shown above.

12. At the same meeting as that at which they adopted their report to the Twelfth International Congress of Zoology, the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such other action, as might appear to them to be necessary or expedient:—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;

⁶ The references given in this "note" are to the sub-paragraphs into which paragraph 27 of the Lisbon Report was divided. For the full text of that paragraph, see 1943, *Bull. zool. Nomencl.* 1: 59-60.

- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

13. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

14. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 8 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, the Commission have received three communications objecting to the suspension of the rules in this case. The terms of these communications are as follows :—

- (a) *Document forwarded under cover of a letter dated 1st March 1937 by Dr. S. A. Rohwer in the name of the Committee on Nomenclature of the Entomological Society of Washington*

The first valid type fixation for *Sphex* Linn. is that by Fernald, 1905, who named *S. sabulosa* Linn. as type. The prior designation of *Pepsis flavipennis* Fabr. by Latreille, 1810, was invalid since that species was not originally included. *Ammophila* Kirby also has for its type *S. sabulosa* Linn., by designation of Latreille, 1810, and is therefore, under the Rules, a synonym of *Sphex* Linn. Fernald's type designation for *Sphex* was upheld by the Commission in *Opinion* 32,⁷ which states "Unless it can be shown that some other species has been validly designated at an earlier date, the designation of *sabulosa* by Fernald, 1905, is not subject to change." With the support of this *Opinion* workers in different parts of the world

⁷ For a definition of the scope of *Opinion* 32, see paragraphs 9(i) and 11 of the present *Opinion*.

(G. Arnold,⁸ S. Africa; R. E. Turner, England; J. Bequaert,⁸ United States, and F. X. Williams,⁸ Hawaii) have followed Fernald. Now, however, it is proposed that the Commission reverse⁹ its action of thirty years ago, and under suspension of the Rules, place on the *Official List of Generic Names Sphex* Linn., 1758, naming as type *Sphex flavipennis* Fabr., a species described twenty-nine years after the genus was established.

We feel strongly that any possible temporary inconvenience resulting from the recognition of *Sphex* with *sabulosa* as type cannot justify such extreme action. If a previously rendered *Opinion* should be reversed¹⁰ with no more justification than the satisfaction of certain irreconcilable opponents any approach to stability in nomenclature would appear impossible.

(b) *Letter dated 28th March 1937 received from Dr. Charles D. Michener, Berkeley, California*

I wish to say that it seems to me the suggested use of *Sphex* and *Ammophila* (Hymenoptera) is not desirable. This was the usage prior to 1905; had the rules been suspended then,¹¹ much confusion would have been avoided. However, the change was made (Fernald, *Ent. News*, June 1905, and *Proc. U.S.N.M.*, 1906, 31 : 294) and has been accepted, so that for over thirty years, *Chlorion* and *Sphex* have been in use instead of *Sphex* and *Ammophila*. To return to the latter pair would be only to repeat confusion. Since *Chlorion* and *Sphex* are in general use, and are correct from a standpoint of priority, it seems that they should be used.

(c) *Letter dated 12th April 1937 from Dr. H. T. Fernald, Orlando, Florida*

I must strongly oppose the proposed suspension of the Rules and the insertion in the *Official List*, of the last two items under the heading "Hymenoptera" as stated in the "Notice of possible suspension of the Rules of Nomenclature in certain cases," dated May 1st 1936 and published in "*Science*" June 5, 1936; viz., suspend the rules and insert in the *Official List* with the types as given in parentheses: "*Sphex* Linn., 1758 (*Sphex flavipennis* Fabr., 1793); *Ammophila* Kirby, 1798 (*Sphex sabulosa* Linn., 1758)."

These two genera are so related that action on one will necessarily involve corresponding action on the other.

The genus *Ammophila* established by Kirby in 1798 included four species. Three of these have been removed (quite properly) to another genus, leaving species No. 1, *sabulosa*, as the genotype by elimination.¹² No one has published this, however.

⁸ It will be seen from paragraph 2 of the present *Opinion* that this author's name is one of those included in the list of signatories of the petition submitted to the International Commission for the suspension of the rules in this case.

⁹ This statement is incorrect. It will be seen from paragraph 3(b) of the present *Opinion* that this application does not seek to set aside *Opinion* 32 and from paragraph 11 that its acceptance by the Commission does involve that consequence.

¹⁰ See footnote 9.

¹¹ For the reasons explained in paragraph 5 of the present *Opinion*, such action by the International Commission was not within their powers at the date in question.

¹² Genotypes cannot be fixed by elimination under Article 30 of the Code. In Article 30, there is no mandatory provision relating to "elimination," which is cited only as the 4th of 13 criteria which authors are "recommended" to follow when themselves selecting types under rule (g) in that Article.

The genus *Sphex* established by Linné, 1758, has had its type fixed by subsequent designation and this designation was approved¹³ by the International Commission (*Opinion* 32). The genotype designated was *sabulosa*, the same species as remains in *Ammophila* as its genotype, as shown above.

The designation of *sabulosa* as the genotype of *Sphex* was made in accordance with Article 30 as revised by the Seventh Congress, as follows :

- I. Does not apply to this case.
- II. (e) Species to be excluded.
 - (a) Species not included under the generic name when this was first published. *Sabulosa* was included.
 - (β) Species inquirendae. *Sabulosa* was not such a species.
 - (γ) Species doubtfully referred to the genus. Not true for *sabulosa*.
 - (f) Does not apply.
 - (g) Fixation of a type by subsequent designation, "such designation is not subject to subsequent change." Type by subsequent designation—*sabulosa*—designated in 1905.
- III. Recommendations
 - (h) With Linnaean genera, select the most common or medicinal species. No medicinal species. *Sabulosa* the most common, with 115 references in Dalla Torre's *Catalogus* by far the largest.
 - (i) Not applicable.
 - (j) *sabulosa* is not exotic from the standpoint of the author of the genus.
 - (k) Not applicable as all the species known to have been transferred. To take back the last one transferred (*pectinipes*) would either make the present family LARRIDAE become SPHECIDAE and cause great confusion involving over 1000 species, or else extinguish SPHECIDAE altogether, making it a subfamily of the LARRIDAE.
 - (l) Not applicable.
 - (m) None of the species are named *communis*, *vulgaris*, *medicinalis* or *officinalis*.
 - (n) *sabulosa* is the best known and most easily obtainable of the species.
 - (o) Not applicable.
 - (p) Not applicable.
 - (q) Original description of genus and species published together.
 - (r) Not applicable.
 - (s) If the type were to be selected by the "first species" rule, No. 1 (*argillacea*) would be the type. This species has not been recognized. If taken it would throw out SPHECIDAE, SPHECINAE, SPHECINI, and *Sphex* from any use whatever until *argillacea* has been rediscovered. If No. 2 be taken under these circumstances, it is *sabulosa*.
 - (t) *sabulosa* as species No. 2 has page precedence except for *argillacea*.

Fabricius in his *Systema Piezatorum*, 1804,¹⁴ places in *Sphex* the Linnaean *sabulosa* and adds three other of his own species. This indicates that he

¹³ The question asked and answered in *Opinion* 32 was not what species should be approved as the type of *Sphex* Linnaeus but what species was in fact the type of that genus under the Code. See paragraphs 9(i) and 11 of the present *Opinion*.

¹⁴ The correct date of this work is [1804–1805]. See Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* 83 : 144. The date should be cited in square brackets, since it is only ascertainable from external sources.

saw the confusion in the species placed under *Sphex* and purified it by putting *sabulosa* as the Linnean species typical of the genus.

From this analysis of the situation *sabulosa* was selected as the genotype of *Sphex* and this selection was approved¹⁵ by *Opinion* 32 of the International Commission.

Accordingly *sabulosa* is now the type of *Sphex* and also of *Ammophila*.

The proposal before the Commission is to replace Linné's genus *Sphex*, 1758, by Kirby's genus *Ammophila*, 1798. The reasons for this proposal have not been made public.

If this change were made and the other proposal also approved, *Sphex* would become a genus containing none of the original species of Linné which are not exotic from his standpoint, with the possible exception of *colon*, *gibba*, *ignita*, *aurata*, and *cyanea* which are not given in Dalla Torre's *Catalogus*, Vol. VIII. If given in other volumes (not accessible to me) they would evidently have been transferred to other genera and hence would not be available for genotypic consideration.¹⁶

The proposal to make *flavipennis* Fabr., 1793, the genotype of *Sphex* would result in a Linnaean genus with a Fabrician genotype! Certainly this would be a somewhat unusual procedure.¹⁷

Sphex as it is now placed has been widely accepted and adopted since the designation of *sabulosa* as its type. To reverse¹⁸ this now would mean introducing more confusion to what is now becoming well settled and with many papers, large and small, treating of these insects as they now stand.

For the above reasons, based on the establishment of the genotypes of *Sphex* and *Ammophila* as outlined above, I must oppose the proposal to shift the names of these genera.

15. Immediately upon their receipt by the Commission, copies of the documents quoted in paragraph 14 above were communicated (April 1936) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

16. The representations set out in paragraph 14 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 12 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)¹⁹ :—

.....
(b) examined the communications that had been received during the prescribed period in regard to the undermentioned genera :—
.....

¹⁵ This is not what the Commission did or were asked to do. See footnote 13.

¹⁶ For a note on the limited extent to which "elimination" is recognised under Article 30 of the Code, see footnote 12.

¹⁷ See paragraph 9(iii) of the present *Opinion*.

¹⁸ See footnote 9.

¹⁹ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

(ix) *Sphex* Linnaeus, 1758

(x) *Ammophila* Kirby, 1798

from the Committee on Nomenclature of the Entomological Society of Washington; from Charles D. Michener, Berkeley, California; and from H. T. Fernald, Orlando, Florida;

- (c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;
- (d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year.
- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

17. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

18. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

19. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

20. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT
OPINION.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the said suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Eighty (*Opinion* 180) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty-fifth day of November, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). In order that the volume, when bound, may be of a convenient size for handling, it has been decided to divide volume 1 into a series of Sections, which will be continuously paged but will each be supplied with a title page and index. It is at present contemplated that the first of these Sections (Section A) will comprise *Declarations* 1-9 and *Opinions* 1-29, but no final decision can be taken until it is possible to estimate more closely than at present the number of pages required for a volume so composed. An announcement on this subject will be made as soon as possible.

Parts 1-21 (comprising *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts are in the press and will be published as soon as possible.

Volume 2. This volume will contain *Declarations* 10-12 and *Opinions* 134-181 and will thus be a complete record of all the decisions taken by the International Commission on Zoological Nomenclature at their meeting held at Lisbon in 1935. This volume will be published in two Sections, which will be continuously paged but will each be supplied with a title page and index.

Section A, comprising *Declarations* 10-12 and *Opinions* 134-160 (published in Parts 1-30 and 30 A), is now complete, price £4 4s. 0d. Individual Parts of this Section are also obtainable separately at the prices at which they were originally published.

Section B will comprise *Opinions* 161-181 (to be published in Parts 31-52). Parts 31-50 (containing *Opinions* 161-180) have now been published and it is hoped that Part 51 (*Opinion* 181) and Part 52 (index and title page) will be published shortly.

Volume 3. This volume, which commenced with *Opinion 182*, will contain the first instalment of the *Opinions* adopted by the International Commission since their Lisbon meeting. Parts 1-11 (containing *Opinions 182-192*) have now been published. Further Parts will be published as soon as possible.

Bulletin of Zoological Nomenclature.

This journal was established by the International Commission on Zoological Nomenclature in 1943 as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-7 of volume 1 have now been published. Further Parts are in the press and will be published as soon as possible.

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.